

### **REMARKS**

Reconsideration is respectfully requested in view of the remarks made herein.

Claims 1-13 are pending and stand rejected.

Claims 1-13 stand rejected under 35 USC 103(a) as being unpatentable over Kondo et al. (USP 5,726,728). Claims 1-3 and 6-13 stand rejected under 35 USC 103(a) as being unpatentable over Shimizu et al. (USP 5,739,882, Onishi et al. (USP 5,624,974) or Nakao et al. (USP 6,486,932).

A claimed invention is prima facie obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

Kondo, Shimizu, Onishi and Nakao, alone or in combination, fail to teach the limitations of the polymeric stratified-phase-separated composite being provided, with its film of liquid side, on a substrate surface having in accordance with a predetermined pattern selected first and second regions, the first regions being functionalized for selective accumulation of the polymerized material and the second regions being functionalized for selective accumulation of the liquid, wherein the supporting members extend selectively onto the selected first regions. Accordingly, the cited references fail to render the obvious the subject matter recited in claim 1 because the combined references fails to teach or suggest all the elements recited in claim 1. Independent claim 11 recites similar limitations.

The Office Action indicates that Kondo teaches the addition of a photopolymerization inhibitor to the polymerizable monomers, in order to slow the

polymerization of the polymeric walls until the phase separation is completed (col. 24, lines 4-16). In this section Kondo teaches:

**In order to increase the size of a liquid crystal droplet, it is preferable to add a compound for inhibiting the polymerization reaction in addition to the above-mentioned polymerizable monomers. When a polymeric wall is formed immediately after light irradiation, the polymeric wall is formed until the movement of the monomer and the liquid crystal material is finished, resulting in failing to form the polymeric wall in accordance with a desired pattern. Specific examples of such a photopolymerization inhibitor include monomers and compounds in which, after the formation of a radical, the radical can be stabilized in a resonance system, such as styrene, p-fluorostyrene, p-chlorostyrene, p-methylstyrene, p-phenylstyrene, and nitrobenzene.**

From this section the Office Action indicates that the above limitations would have been obvious one skilled in the art. Applicants respectfully disagree.

To simply state that the limitations of a polymeric stratified-phase-separated composite being provided, with its film of liquid side, on a substrate surface having in accordance with a predetermined pattern selected first and second regions, the first regions being functionalized for selective accumulation of the polymerized material and the second regions being functionalized for selective accumulation of the liquid, wherein the supporting members extend selectively onto the selected first regions would be an obvious modification to one skilled in the art, from the above noted section of Kondo, begs the question. How? Nothing in Kondo, Shimizu, Onishi and Nakao teaches all of the above limitations (e.g. predetermined pattern selected first and second regions, the first regions being functionalized for selective accumulation of the polymerized material and the second regions being functionalized for selective accumulation of the liquid ...). Such an interpretation disregards the “as a whole” requirement of MPEP 2141.02, and distills the complexities of claim 1 to an abstract general buzz word, precisely the problem obviated by MPEP 2141.02.

What reference teaches, and moreover provides the motivation to combine with the present invention, an actual real world reduction to practice of such an “obvious modification to have also determined the intention of the user”? How is the integration to occur? What suggests the desirability of such a combination?

Thus, Applicant traverses this rejection, and respectfully requests that the Examiner’s position be supported by a reference, as per MPEP 2144.03.

Further, a particular advantage of the present invention is that the claimed polymeric stratified-phase-separated composite is simple to manufacture and is mechanically robust, in particular when lateral or shear stresses are applied rendering such composites particularly suitable for applications where flexibility is required. In contrast to the cited references and as further described in the specification on page 1, lines 11-24:

The polymeric stratified-phase-separable material is manufactured by means of a method wherein a layer of photo-polymerizable stratified-phase-separable material is subjected to two successive *exposures with ultraviolet light*. The first exposure is a pattern-wise exposure in which the supporting member are formed, the second exposure is a flood exposure wherein the liquid crystal layer and the polymeric layer are formed. The known method is rather cumbersome. For example, having to perform two exposures one of which pattern-wise is not very attractive. Furthermore, the inventors have found that the mechanical robustness of the known stratified-phase-separated composite manufactured in accordance with the known method leaves room for improvement; application of lateral or shear stresses often leads to failure of the stratified-phase-separated composite. Such stresses develop in particular when the laminate is flexed, such flexure being required in flexible or more particular rollable displays, or is heat stressed e.g. to temperatures above 50 °C.

This type of UV manufacturing process is used/described in, for example, Kondo, see col. 15, lines 24-53.

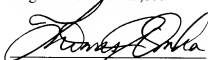
For at least this reason, applicant submits the reason for the rejection has been overcome and respectfully requests withdrawal of the rejection and allowance of independent claims 1 and 11.

With regard to claims 2-10 and 12-13 these claims depend from an independent claim discussed above, which have been shown to be allowable in view of the cited reference. Accordingly, each of claims 2-10 and 12-13 are also allowable by virtue of its dependence from an allowable base claim.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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